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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS

No. P. 5322—Pol. 81-48-2, dated Bangalore, 27th September 1948.

In exercise of the powers conferred by Section 8 of the Home Guards Act, 1941, the Government of His Highness the Maharaja are pleased to make the following Rules :—

The Home Guards Rules, 1948.

Title. 1. These rules may be called the "Home Guards Rules, 1948".

Definitions. 2. In these rules, unless there is anything repugnant in the subject or context,—

(*i*) 'Officer of the Home Guards' means a member of the Home Guard appointed to an office of command in the Home Guards under Section 3 of the Act;

(*ii*) 'Form' means a form appended to these rules;

(*iii*) 'Member of the Home Guards' means a person appointed as such under Section 3 of the Act by the District Magistrate of a District; and

Act' means the Home Guards Act, 1941.

Supervision of Inspector-General of Police.

3. The Home Guards in Mysore shall be under the general supervision of the Inspector-General of Police in Mysore who shall also be *ex-officio* Inspector-General of Home Guards.

District Commanders.

4. The District Magistrate shall be the District Commander of the Home Guards in his district.

Organization.

5. Each district shall have a Home Guards Company under a Company Commander who shall be a non-official. Each Company shall consist of not less than four Platoons, and each platoon shall have a Platoon Commander and an Assistant Platoon Commander. Every Platoon shall consist of four squads and each squad shall consist of ten Home Guards; each squad shall have one Group Commander and one Second-in-Command. Each Platoon shall be formed, as far as possible from members who reside in the same locality.

Delegation of powers under Section 4.

6. Any Police Officer not below the rank of a District Superintendent of Police, specified by the District Magistrate may also exercise the powers of the District Magistrate under Section 4 of the Act.

Enrolment.

7. No person other than a subject of His Highness the Maharaja by birth or domicile shall be enrolled as a Home Guard. An application for enrolment as a member of the Home Guard by a person residing in any district shall be made in Form I, to the District Magistrate of the district or to such other person as may be authorised in this behalf by the District Magistrate.

Age limit.

8. A candidate for enrolment as a member of the Home Guards shall not be under 18 or over 45 years of age on the date of his application for enrolment.

Certification of character and antecedents.

9. A 'Recruitment Committee' shall be constituted for each Taluk with the District Magistrate as Chairman and two non-official gentlemen of the district nominated by the District Magistrate as members, to certify the character and antecedents of the candidates seeking enrolment. The District Superintendent of Police shall be the Secretary of such Committee.

Medical examination of candidates for enrolment in the Home Guard.

10. A candidate whose eligibility for enrolment in the Home Guards has been certified by the Recruitment Committee may, if considered necessary by the District Magistrate or by the person authorised by the District Magistrate under Rule 7, be placed before a competent Medical Officer for examination of his physical fitness to perform the duties of the Home Guard.

Certificate of appointment.

11. An enrolment certificate in Form II shall be issued by the District Magistrate, if he is satisfied that the candidate whose eligibility has been certified by the Recruitment Committee is suitable for appointment as a member of the Home Guards and that he understands and accepts the conditions of his service laid down in these rules.

Loss of certificate to be reported.

12. The loss of an enrolment certificate issued to a member of the Home Guards shall be reported forthwith to the District Commander through the officer of the Platoon to which the member belongs. A Platoon Commander and a Company Commander shall report the loss of their enrolment certificates direct to the District Commander.

Home Guard not to resign without leave or notice.

13. No member of the Home Guards shall be at liberty to resign his office or to withdraw himself from the duty thereof unless expressly allowed to do so in writing by the District Commander and unless he shall have given to the District Commander fifteen days' notice in writing of his intention to do so:

Provided that the District Commander may accept the resignation of any member of the Home Guards without such notice.

Training.

14. Members of the Home Guards shall, on enrolment, be liable for training at such places and at such times as may be determined by the District Commander:

Provided that such training shall not ordinarily extend beyond two hours on three days in a week during the first month and one hour in a week thereafter.

Compliance with orders of the District Magistrate, etc.

15. An Officer of the Home Guards shall comply with all orders issued to him by the District Magistrate or the District Superintendent of Police or any police officer or Magistrate authorised by the District Magistrate in this behalf.

Conditions of service.

16. Members of the Home Guards shall be on duty at such places and at such times as may, by a general or special order, be specified by the District Magistrate or District Superintendent of Police, or Commander of the Platoon to which they belong or such other officer as may be authorised by the District Magistrate.

Control.

17. Members of the Home Guards shall be under the control of their own officers;

Provided that if a group or groups is or are acting in conjunction with the ordinary police force, the senior officer of the Platoon or Squad shall be under the immediate control and subject to the directions of the Senior Officer of such police force present (in conjunction with such Platoon or Squad irrespective of their ranks).

Duties.

18. The duties of members of the Home Guards shall ordinarily consist of :

(*a*) Assisting the police generally in guarding and protecting the Civil population and their property;

(*b*) the rendering of assistance in connection with air-raid precautions;

(*c*) bringing information of false rumours;

(*d*) bringing information of any offence which is likely to affect the public safety; and

(*e*) generally performing such duties in connection with the protection of persons, the security of property or the public safety as the District Magistrate may, from time to time, assign to them.

Discipline.

19 (1) Members of the Home Guards shall not communicate with the Press or any political organisation or body in regard to any matter connected with their duties in the Home Guards.

(2) They shall treat police reports or copies thereof coming within their cognisance or knowledge as strictly confidential.

(3) They shall notify the District Superintendent of Police of the District concerned, any change in their permanent address or place of employment.

(4) They shall immediately make a full and accurate report to the Officer of their Platoon of all acts done by them in the exercise of their duties under the Act and these rules, and the Officer in turn shall make a consolidated report to the District Superintendent of Police through the Company Commander.

Cessation of service in the Home Guard.

20. The District Magistrate on the recommendation of the District Superintendent of Police or by himself, may terminate the services of, suspend or dismiss, any member of the Home Guards without assigning reasons.

Dress.

21. Members of the Home Guards shall, when on duty, wear such dress and decoration as may be prescribed by the Government in this behalf. Such dress shall be

supplied at the cost of the Government. When a member of the Home Guards resigns or is suspended or dismissed or when his services are terminated, he shall immediately deliver to the District Superintendent of Police the enrolment certificate and the equipment supplied to him at the cost of Government. The said officer shall give a receipt for the articles delivered to him.

Responsibility for pecuniary loss caused to Government by negligence.

22. Members of the Home Guards shall be held responsible for making good any pecuniary loss caused to the Government by their misuse of, or negligence while in charge of, Government property entrusted to them.

Rewards.

23. The rules prescribed in the Police Manual in the case of Police Officers regarding 'Rewards' shall also be applicable to the Home Guards.

Remuneration.

24. Service in the Home Guard will be honorary and no person appointed as a member of the Home Guards shall as of right be entitled to any remuneration but the District Magistrate of the District concerned, may in his discretion,—

(*i*) pay to a member of the Home Guards while on duty an allowance not exceeding one rupee per day and if the duty performed is less than four hours, half of the above allowance;

(*ii*) provide with conveyance at Government cost or give actual conveyance charges in addition to the daily allowance for halts extending over six hours when he is detailed for duties outside his place of residence;

(*iii*) recommend to Government compensation if he sustains any injuries in the performance of duties.

Rules to apply to persons appointed before coming into force of the rules.

25. The Home Guards constituted before the commencement of these rules shall be deemed to have been constituted under these rules and these rules shall apply to them accordingly.

V. VEDAVYASACHARYA, *Chief Secy. to Govt.*

FORM I.

APPLICATION FOR ENROLMENT AS A MEMBER OF THE HOME GUARD.

(*Rule* 7).

Serial No..... District..... Taluk or.....Town.....

1. Name and avocation.....
2. Father's name and avocation.....
3. Address.....
4. Age and date of birth.....
5. Religion and caste.....
6. Height and Weight.....
7. Educational qualifications.....
8. Property and monthly income.....
9. Whether a member of any organisation, communal, political or social. Mention names of organisations and duration of each membership.
10. Any special qualification or training or aptitude.

Declaration :—I am aware that the service for which I have enrolled is honorary and entirely voluntary.

I have understood and accept the conditions of the Home Guards Service.

Station.....
Date..... Signature.

FORM II.

(*Rule* 11.)

I

(For ordinary guards).

Under Section 3 of the Mysore Home Guards Act, 1941 (Act No. XIV of 1941), the District Magistrate of..... appoints.....of.....(residence) to be a member of the Home Guard of the.....District

Station..... District Magistrate,
Date..... .....District.

II.

(For Commanders).

Under Section 3 of the Mysore Home Guards Act, 1941 (Act No XIV of 1941), the District Magistrate of.....appoints .....of.....(residence) to be a member of the Home Guard of the..... .....District. And further, under the said section 3, the District Magistrate appoints the said member to be a.....Commander in the Home Guard.

Station..... District Magistrate,
Date..... .....District.

No. SD. 2442—C 100-47-103, dated Bangalore, the 22nd—25th September 1948

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers), Act 1947 (Act XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948, promulgated under notification No. SD. 9938/C. 100-47-68 dated 1-6-1948 and to direct further with reference to sub-rule (1) of Rule 119 of the said rules that notice of these amendments shall be given by publication of the same in the *Mysore Gazette* :—

Amendment.

In the said Order in items (ii) and (iii) of sub-clause (f) of Clause 2 after the words "next harvest", and before the words "at the rate of" occurring in the two items, the following words and figures shall be inserted, namely:—

"*ie.*, 1st January for paddy and rice and 1st March for ragi."

The Sub-Clause as amended will read as follows :—

(*f*) 'Normal quantity' means in relation to :—

(ii) a person who is a holder residing in a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the *next harvest, i.e.*, 1st January for paddy and rice and March for ragi, at the rate of twelve ounces for every person of and above eight years of age and six ounces for every person under eight years of age who are dependents of such person or who reside in such establishment ;

(iii) a person who is a holder residing in an area other than a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the *next harvest, i.e.*, 1st January for paddy and rice and 1st March for ragi, at the rate of sixteen ounces for every person of and above eight years of age and eight ounces for every person

under eight years of age who are dependents of such person or who reside in such establishment.

This will come into effect from the date of this notification.

SAFI DARASHAH,
Secretary to Government,
Food and Civil
Supplies Department.

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